

No. 4284

**PHILIPPINES
and
SWITZERLAND**

Treaty of Friendship (with Final Protocol). Signed at Manila, on 30 August 1956

Official texts : English and French.

Registered by the Philippines on 15 April 1958.

**PHILIPPINES
et
SUISSE**

Traité d'amitié (avec Protocole final). Signé à Manille, le 30 août 1956

Textes officiels anglais et français.

Enregistré par les Philippines le 15 avril 1958.

No. 4284. TREATY¹ OF FRIENDSHIP BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE SWISS CONFEDERATION. SIGNED AT MANILA, ON 30 AUGUST 1956

The Government of the Republic of the Philippines and the Swiss Federal Council, animated by the desire to strengthen and perpetuate the friendly relations so happily existing between the two countries, by means of formal provisions designed to fortify their spiritual, cultural and economic ties, have resolved to conclude a Treaty of Friendship and, to that end, have appointed as their respective plenipotentiaries,

The President of the Philippines :

His Excellency Carlos P. Garcia, Secretary of Foreign Affairs and concurrently Vice-President of the Philippines, and

The Swiss Federal Council :

The Honorable Walter Hofer, Consul General of Switzerland, who, after communicating to each other their respective full powers, found in good and due form, have agreed upon the following articles :

Article 1

There shall be perpetual peace and everlasting amity between the Republic of the Philippines and the Swiss Confederation and their peoples.

Article 2

Should any dispute arise between the two High Contracting Parties, which cannot satisfactorily be adjusted by diplomacy, or through conciliation or mediation, the Parties shall not use force for settlement, but shall agree to submit the dispute to a court of arbitration or to the International Court of Justice. If they fail to agree on this point, each Party may bring the dispute before the International Court of Justice provided it is a legal dispute enumerated in Article 36, S 2 of the Statute of the Court.

Article 3

Each of the High Contracting Parties shall accredit to the other diplomatic representatives who shall enjoy during the term of their respective missions, on the basis of reciprocity, the rights, privileges and immunities generally recognized under international law and usage.

¹ Came into force on 9 December 1957, upon the exchange of the instruments of ratification at Manila, in accordance with article 9.

Article 4

Each of the High Contracting Parties shall have the right to establish consulates general, consulates, vice consulates and consular agencies in the territory of the other Party in places mutually agreed upon.

Consular representatives of one of the Parties shall upon receipt from the other Party of their exequatur or any other authorization to exercise their functions enjoy, on the basis of reciprocity, all the privileges, exemptions and immunities granted in accordance with the generally accepted principles of international law and usage.

Article 5

The Nationals of each of the High Contracting Parties within the territories of the Other shall be permitted to enjoy, on the basis of reciprocity, the right to acquire, possess and dispose of movable and immovable property, to travel, to reside and to engage in trade, industry and other peaceful and lawful pursuits, subject always to the Constitution, laws and regulations promulgated, or which may hereafter be promulgated, by the Other. They shall enjoy, in matters of procedure, the same treatment as is accorded to the nationals of the Other, with respect to the protection and security of their person and property and with regard to all judicial, administrative and other legal proceedings. The nationals of one of the Contracting Parties established or temporarily residing in the territories of the Other shall be permitted to export all their assets and belongings to the same extent as is accorded to the nationals of the most favored foreign nation.

Article 6

Each of the High Contracting Parties shall grant to the Other the treatment of the most favored foreign nation regarding the export, import and transit of goods. The treatment of the most favored foreign nation shall in particular be extended to the Swiss nationals, foundations, associations and societies importing into the Philippines goods originating from a third country or exporting from the Philippines to a third country goods originating from the Philippines. The same treatment shall be extended to the Philippine nationals, corporations, partnerships and commercial and industrial associations importing into Switzerland goods originating from a third country or exporting to a third country goods of Swiss origin.

Article 7

No provisions of this Treaty shall be construed to apply or refer to treatments, advantages or privileges which are now or may hereafter be granted to the United States of America, or to its citizens, associations or corporations.

Article 8

The High Contracting Parties agree to conclude as soon as practicable treaties on commerce and navigation, consular rights and privileges, establishment and extradition.

Article 9

This Treaty shall be subject to ratification by the High Contracting Parties in accordance with their respective constitutional procedures. It shall enter into force upon the exchange of the Instruments of Ratification, which shall take place at Manila, Philippines, and shall thereafter remain in force unless and until terminated by one year's written notice.

IN FAITH WHEREOF, the Plenipotentiaries of the High Contracting Parties have signed the present Treaty and have hereunto affixed their seals.

DONE in duplicate in the French and English languages, both texts being equally authentic, in Manila, this 30th day of August in the year of our Lord one thousand nine hundred and fifty six, Anno Domini, and of the Independence of the Philippines, the eleventh.

For the Government of the Republic of the Philippines :

(Signed) Carlos P. GARCIA

For the Swiss Federal Council :

(Signed) W. HOFER

FINAL PROTOCOL

On proceeding to sign the Treaty of Friendship between the Government of the Republic of the Philippines and the Swiss Federal Council,¹ the undersigned Plenipotentiaries have made the following declarations :

1. For the purpose of this Treaty the term "Swiss foundations, associations, and societies" under Article 6 includes foundations, associations and societies (corporations, partnerships and/or other organizations) in the Philippines of a commercial and industrial character and with predominant Swiss interests (substantial interest).

2. Pending the conclusion of a treaty of establishment as mentioned in Article 8, applications of Swiss nationals for immigration (permanent and nonpermanent residence) into the Philippines shall be given sympathetic consideration, according to the laws and regulations in force.

¹ See p. 44 of this volume.

The present protocol forms an integral part of the Treaty of Friendship and shall enter into force by the sole fact of the exchange of the Instruments of Ratification of the Treaty.

DONE in duplicate in the French and English languages, both texts being equally authentic, in Manila, this 30th day of August in the year of our Lord One thousand nine hundred and fifty-six, Anno Domini, and of the Independence of the Philippines, the eleventh.

For the Government of the Republic of the Philippines :

(Signed) Carlos P. GARCIA

For the Swiss Federal Council :

(Signed) W. HOFER
